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OCT 10 2008

# FAX

**To:** Art Unit 2165  
**From:** Angel Palacios  
**Date:** September 10th, 2008  
**Fax Number:** +15712738300  
**Number of pages:** cover + ~~7~~ 7

Sirs,

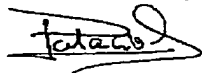
Please find attached correction to the Amendment for Application 10/599,384 in response to your letter dated on September 12, 2008.

The error in the Amendment was located on page 8, where claim 15 was wrongly stated as "Original". In the correction, claim 15 is now stated as "Currently Amendment".

In particular, you can find:

- Copy of your letter dated September 12, 2008
- Page 8 of the Amendment, corrected as indicated in your letter.
- A copy of page 8 of the Amendment, in which the corrected part is marked.

Yours sincerely



Angel Palacios

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**OCT 10 2008**



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,384	09/27/2006	Angel Palacios		7844

7590  
Angel Palacios  
Mendez Alvaro 77  
Portal 4 Piso 4B  
Madrid, 28045  
SPAIN

09/12/2008

EXAMINER  
VU, BAID

ART UNIT	PAPER NUMBER
2165	

MAIL DATE	DELIVERY MODE
09/12/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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OCT 10 2008

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/599,384

Examiner

Bai D. Vu

Applicant(s)

PALACIOS, ANGEL

Art Unit

2165

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

The amendment document filed on 20 June 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

- Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted.
- Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or  
Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Christian P. Chace/

Supervisory Patent Examiner, Art Unit 2165

Application No. 10/589,384

Continuation Sheet (PTOL-324)

Continuation of 4(e) Other. The claim 15 is currently amended in the amendment filed on 06/20/2008. However, applicant indicates the status identifiers for the claim (Original). The status of claim 15 should be written as (Currently amended).

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### DETAILED ACTION

1. The claim 15 is currently amended in the amendment filed on 06/20/2008. However, applicant indicates the status identifiers for the claim (Original). Appropriate correction is required.

Applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

### Contact Information

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bai D. Vu whose telephone number is (571) 270-1751. The examiner can normally be reached on Mon - Fri 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on 571-272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit 2165

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bai D Vu/  
Examiner, Art Unit 2165  
09/04/2008

/C. T. T./

Primary Examiner, Art Unit 2169